

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN WILLIAM NOEL,

Defendant.

NO. CR20-034 JCC

**GOVERNMENT’S SENTENCING
MEMORANDUM**

Sentencing: 7/20/21 at 9:00 a.m.

Stephen Noel is being sentenced for unlawfully possessing a firearm as a felon, possessing methamphetamine with intent to distribute, and possessing a firearm in furtherance of a drug trafficking crime. This conduct itself is serious, in and of itself, but it is really Mr. Noel’s history and characteristics that drive the government’s sentencing recommendation in this case. Specifically, Mr. Noel’s history and characteristics include a steady stream of criminal convictions over the past 30 years, including 13 felonies, several incidents in which he attempted to elude police by driving dangerously in stolen cars, and affiliation with an anti-law enforcement, white supremacist gang known as the “No Remorse Crew,” or, more colloquially, “F--- Pigs.” After considering these and the other factors enumerated in 18 U.S.C. § 3553(a), the government submits that a 120-month sentence is necessary to reflect this aggravating history, promote respect for the law, and protect the public.

I. FACTS

On May 11, 2019, the Algona Police Department (PD) stopped Mr. Noel because he was driving a stolen car. Mr. Noel was the car's sole occupant. Algona PD contacted the car's registered owner and obtained her written consent to search the car.

In the trunk, Algona PD located a black camera bag that contained a Smith and Wesson 9mm SVD9E semi-automatic pistol, 65 grams of methamphetamine, a smaller amount of heroin, small ziplock baggies, a digital scale, and two cell phones. There was also a sticky note with the words "Stephen Noel 5703 184th Ave Ct. E Bonney Lake 98391" written on it.

At the time of Algona PD's traffic stop, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) was investigating Mr. Noel for gang-related drug trafficking and firearms activity. ATF obtained a search warrant for the phones in the camera bag. One of the phones belonged to Mr. Noel and contained numerous messages about drugs and firearms sent primarily via Facebook messenger. The profile name associated with the phone's Facebook account was "Liam Groot," but the agents were able to identify the account as Mr. Noel's, in part because it contained profile photographs like this one:



II. MANDATORY PENALTIES

Mr. Noel pleaded guilty to *Possession of a Firearm in Furtherance of a Drug Trafficking Crime* (i.e. Count 3), in violation of Title 18, United States Code, Section 924(c)(1)(A), which carries a mandatory minimum term of five years imprisonment, consecutive to the sentences imposed for Counts 1 and 2.

III. THE SENTENCING GUIDELINES CALCULATION

There is no dispute regarding the applicable Sentencing Guidelines range. Mr. Noel has a criminal history score of VI. The total offense level for Counts 1 and 2 is 21, which yields a Guidelines range of 77 months to 96 months. The Sentencing Guidelines range for Count 3 is 60 months, consecutive to the sentence imposed for Counts 1 and 2, which results in a total Guidelines range of 137 months to 156 months.

IV. THE UNITED STATES SENTENCING RECOMMENDATION

Mr. Noel has been committing crime for most of his life. Several aspects of his history and characteristics are aggravating, including his affiliation with the No Remorse Crew. His gang affiliation adds an additional layer of public safety concern to his criminal activities. A white supremacist, anti-law enforcement ethos combined with unlawful possession of firearms is a substantial risk factor for future acts of violence.

Another significant concern is Mr. Neal's remarkable five prior convictions for attempting to elude police, usually in connection with other criminal activities like unlawfully possessing firearms, stealing cars, and distributing drugs. These convictions include:

- Driving 95 miles-per-hour in a 45 mile-per-hour zone in a stolen car, intentionally attempting to ram an officer's patrol car, continuing to drive after losing automobile parts, running from the car after it crashed, and punching an officer in the face. There was a loaded .45 caliber pistol under the passenger seat. PSR ¶ 41.
- Nearly colliding with several vehicles while attempting to elude police in a stolen car with methamphetamine and over 100 car keys. PSR ¶ 42.

- 1 • Driving over 70 miles-per-hour in a 25 mile-per-hour zone with two scared
- 2 passengers who thought they would be killed during the car chase. PSR ¶ 44.
- 3 • While driving a stolen car, nearly colliding head-on with an innocent vehicle
- 4 in the oncoming lane that drove into a roadside ditch to avoid the collision,
- 5 reaching speeds over 100 miles-per-hour, nearly missing several other
- 6 innocent cars, and finally hitting another innocent driver who was airlifted to
- 7 Harborview. One of his passengers was also hospitalized and suffered three
- 8 broken ribs. PSR ¶ 45.

9 Further, Mr. Noel previously served a 100-month sentence for unlawfully
 10 manufacturing methamphetamine, PSR ¶ 46, yet continued to unlawfully possess
 11 firearms, elude police, steal cars, and distribute methamphetamine in the years that
 12 followed his release from custody.

13 All of this demonstrates that Mr. Neal has not, thus far, been able or willing to
 14 change his troubling patterns, despite opportunities like a drug-offender sentencing
 15 alternative in 2014 PSR ¶ 48. To his credit, Mr. Neal acknowledges his history of
 16 failing to attend treatment, failing to engage with post-conviction supervision, and living
 17 life “on the run.” PSR ¶ 83. The government sincerely hopes that Mr. Neal, now 47
 18 years old, truly understands how harmful and hateful his conduct has been and is tired of
 19 running. At the end of the day, only he knows whether his commitment to change is
 20 genuine and how hard he is willing to work to make those necessary changes. While
 21 acknowledging Mr. Neal’s statements of responsibility and remorse, the government still
 22 believes that the seriousness of this offense, viewed in the broader context of Mr. Neal’s
 23 history of harming and endangering the community, warrants a significant term of
 24 imprisonment.

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V. CONCLUSION

For the foregoing reasons, the United States respectfully asks the Court to sentence Mr. Noel to a total sentence of 120 months of imprisonment, that is 60 months for Counts 1 and 2, concurrent to each other and consecutive to 60 months for Count 3. The government also recommends a five-year term of supervised release with the special conditions proposed by Probation.

DATED this 13th day of July, 2021.

Respectfully submitted,

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